

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 SANTO DOMINGO 005050

SIPDIS

FOR WHA/CAR, WHA/PPC AND G/TIP

E.O. 12958: N/A

TAGS: PHUM KCRM KWMN DR

SUBJECT: DOMINICAN REPUBLIC: INTERIM TIP ASSESSMENT

REF: STATE 185386

1. The following interim assesement for trafficking in persons (TIP) addresses the questions in paragraph 6(I) of reftel.

2. The Government of the Dominican Republic emphasizes TIP issues in public communications and has made some progress in enforcement. Institutional changes include the creation of an anti-trafficking department in the Migration Directorate in March. This department coordinates with the Attorney General,s office and the National Police to find and prosecute persons dedicated to trafficking women for prostitution and commercial sexual exploitation.

3. Law Enforcement Efforts

The National Police has a unit assigned full-time to enforcement of laws on trafficking in persons and illegal migration. The chief of this unit expressed his commitment actions against TIP, but in fact, only two of the sixty cases on its active roster deal with TIP. The rest are in the area of illegal migration and alien smuggling. Resources are limited but the police investigate TIP cases assigned to them. The Embassy raised with the Assistant Attorney General three specific cases brought to Embassy attention by the International Organization for Migration, in which women enticed abroad for "door to door sales" wound up in prostitution but eventually returned to the Dominican Republic; the Assistant Attorney General said that in each case the apparent victim had refused to testify, fearing reprisals from the former employer.

4. Raids and Rescuing TIP Victims

Dominican authorities conducted a number of raids and interventions under the anti-trafficking law, all during the first half of the calendar year. For example, in April the National Directorate of Investigations dismantled a child prostitution and pornography ring in Sosua where police arrested two men. In April, on instructions of the Attorney General, police closed down several bars, nightclubs, and "massage parlors" in Santiago, Santo Domingo, and Boca Chica alleged to be involved in prostitution of vulnerable women and children. The Assistant Attorney General did not have a summary list with specifics on the numbers of establishments closed by the provincial district attorneys.

5. Government Reponse

Senior Dominican officials have spoken out publicly against TIP. In numerous contacts with the national press Attorney General Francisco Dominguez Brito has emphasized the administration's rejection of trafficking and his intention to investigate and prosecute trafficking cases. Assistant Attorney General for Trafficking in Persons and Illegal Migration Frank Soto maintained a high profile and opened a new public awareness campaign highlighting the gravity of trafficking and of the penalties provided in TIP Law 137-03.

6. TIP Training

The Ministry of Foreign Affairs has compulsory training at its Diplomatic and Consular School for consular representatives with emphasis on identifying trafficking and assisting victims. In addition, the Ministry gave specialized training on trafficking for consular officers posted in the Caribbean and Europe. As a result, consular officials posted in the Caribbean re-established their consular network to fight TIP. In March, the International Organization for Migration (IOM) carried out training for 100 officers from the Migration Directorate, at a two-day session opened by Minister of the Interior and Police Franklin Almeyda and Director of Migration Carlos Amarnte Baret. IOM has provided technical advice to Migration regarding the organization of the department, its functioning mechanisms, and the selection of suitable personnel.

7. Prosecutions of TIP cases

- - In May a judge convicted three men under Trafficking Law 137-03 and sentenced them to 15 years in prison, relying on extensive evidence assembled by a U.S. non-governmental

organization, including videotapes. A fourth suspect in the case is now in detention and awaiting trial. The four men were caught last year in a raid in Boca Chica, which resulted in the rescues of 24 children, the youngest of them only 7 years old.

- - In August 2004 in a conclusive judicial review Maria Martinez Nunez was sentenced to 5 years in prison and ordered to pay a 500,000 peso fine (USD 16,000).

- - In March 2005 the Supreme Court resumed proceedings in the trial of Congressman Radhames Ramos Garcia on charges of alien smuggling. The Court found Ramos Garcia guilty and sentenced him to 18 months in prison. He was paroled in October after completing 9 months and 8 days of his sentence, including periods of pre-trial detention.

18. Other items.

-- On November 13 a coalition of civil society organizations working with the mayor of Boca Chica put together demonstrations against the sexual exploitation of children. The authorities published and put up in the town a poster warning that sexual exploitation of children is a criminal offense.
HERTELL